

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 10, 2003 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #2044

PROPOSAL: To obtain a special permit for a six-screen theater in the B-5, Planned Regional Business district.

LOCATION: N. 27th and Folkways Boulevard.

LAND AREA: 12 acres, more or less.

CONCLUSION: In conformance with the Comprehensive Plan and Zoning Ordinance.

<u>RECOMMENDATION:</u>	Conditional Approval
-------------------------------	----------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 3-10 and Outlot A, King Ridge Addition, located in the NW 1/4 of Section 6-10-7, Lancaster County, Nebraska, generally located at N. 27th Street and Folkways Boulevard.

EXISTING ZONING: B-2, Planned Neighborhood Business.

EXISTING LAND USE: Undeveloped, part of the King Ridge Use Permit #103B.

SURROUNDING LAND USE AND ZONING:

North:	Commercial, undeveloped	B-2, Planned Neighborhood Business
South:	Commercial	B-5, Planned Regional Business
East:	Undeveloped	B-2
West:	Commercial	B-2

ASSOCIATED APPLICATIONS: Lincoln Crossings Use Permit #57D and Change of Zone #3430.

HISTORY: Administrative Amendment #02051 allowed an increase of floor area of Use permit #57 to a total of 816,469 square feet was approved by the Planning Director on September 19, 2002.

Use Permit 103B King Ridge to increase the allowed floor area to 705,660 square feet was approved by the City Council on June 25, 2001.

Change of Zone #3286 from R-3, Residential to B-2, Planned Neighborhood Business was approved by the City Council on November 13, 2000.

Use Permit #103A King Ridge increased the floor area to 244,660 was approved by the City Council on February 22, 1999.

Use Permit #103 King Ridge was approved for 237,200 square feet of floor area by the City Council on February 17, 1998.

Change of Zone #3043 from R-3, Residential to B-2, Planned Neighborhood Business was approved by the City Council on April 14, 1997.

Use Permit # 57C to amend Lincoln Crossing Use Permit was approved by the City Council on December 4, 1996.

Use Permit #57B to amend Lincoln Crossing Use Permit was approved by the City Council on March 29, 1993.

Use Permit #57A to amend Lincoln Crossing Use Permit was approved by the City Council on January 11, 1993.

Change of Zone #2704 from R-3, Residential to B-5, Planned Regional Business to correct an error was approved by the City Council on August 3, 1992.

Change of Zone #2654 from R-3, Residential I-1, Industrial and H-4, General Commercial to B-5, Planned Regional Business and Use Permit #57 was approved by the City Council on April 20, 1992.

This area was changed from A-A Rural and Public Use to R-3 Residential District during the 1979 Zoning Update.

COMPREHENSIVE PLAN SPECIFICATIONS: The land use plan shows this area as commercial (page F-25). The following excerpts from the Plan are applicable:

"Downtown Lincoln has evolved from its earlier role as the region's dominant retail center to an urban mixed-use center. Today, Downtown is a center for government, education, entertainment, convention and conference facilities, housing, arts, business, professional services and tourism. Downtown should remain the designated entertainment, tourism and cultural center for the community and continue to strengthen linkages with the University of Nebraska-Lincoln". (F-11)

"Downtown Lincoln continues to serve its role as the central location for commerce, government, entertainment and the arts. Views to the State Capitol have been preserved, as they have in the past, as part of our community form". (F-16)

"Regional Centers typically include a unique blend of commercial and other compatible land uses. Within this type of center, one may find retail shopping, restaurants, entertainment complexes, cultural and artistic institutions, offices, personal and business service facilities, and public institutions and governmental functions. The scale of such centers can offer a sense of place with a unique character or cohesive theme". (F-43)

"Downtown Lincoln has historically served as the community's dominant center of entertainment. A key element to this role has been the long standing and successful "theater policy." This policy has allowed Downtown to retain an appreciable share of the area's movie theaters. It is intended that this policy would continue as part of the present Plan". (F-44)

"Regional Centers should be located approximately four to six miles apart, depending upon their size, scale, function and area population". (F-44)

"Regional Centers should be geographically well dispersed throughout the Lincoln urban area based on the Center Spacing guidelines noted above. The community will not require market studies to determine the economic impact of new centers on existing development. However, new Regional and Community Centers will be sited in the Comprehensive Plan, so that the potential impact on existing centers may be considered as part of the siting process. (Market impact studies will still be required for movie theaters)". (F-44)

"The City should preserve and enhance Downtown's role as:

- the major office and service employment center of the City
- the focus of all levels of government
- the City's principal cultural and entertainment center
- the hotel and convention center for the City
- the City's financial center
- a hub of higher education
- specialty retail geared toward employees, area residents, convention visitors and University population" (F-48)_

"Lincoln's successful Theater Policy must be maintained and reinforced. New entertainment attractions should be encouraged to locate in the Downtown". (F-48)

TRAFFIC ANALYSIS: N. 27th Street is classified as an Urban Major Arterial and Folkways Boulevard is classified as a local road but is built larger to sustain the anticipated commercial and high school traffic (F-103).

ANALYSIS:

1. This is a request to obtain a special permit for a six-screen theater in the B-5 district.
2. Zoning Ordinance Section 27.63.630 indicates that "Theaters may be allowed in the B-5 District by special permit under the following conditions:
 - A use permit for 400,000 square feet or more of commercial floor area has been issued;
 - A Certificate of Occupancy has been issued for 300,000 square feet or more of commercial floor area; provided, however, that the City Council may

- decrease or waive this requirement upon a finding that the proposed theaters will have no significant adverse impact upon the property values and existing uses in the B-4 Lincoln Center Business District, with particular emphasis upon the effect of such proposed theaters on the entertainment and cultural uses in the B-4 Lincoln Center Business District; and
 - Not more than one theater complex shall be allowed for each B-5 District, consisting of not more than six movie screens.
4. The Lincoln Crossing use permit #57D is approved for 816,469 square feet of floor area. The Building and Safety Department verified that certificates of occupancy have been issued for 646,732 square feet of floor area.
 5. There are a limited number of theaters to serve the population outside of the downtown business district in regional business districts in order to maintain the strength of theaters downtown.
 6. There are currently six screens each at East Park, Edgewood and Southpoint Pavilion. East Park is approximately 4 miles from downtown, Edgewood is approximately 6 miles from downtown and Southpoint Pavilions is approximately 6 miles from downtown. The downtown theaters are approximately 4.5 miles from the proposed theaters, except for the theaters in Havelock there are no theaters located north of downtown.
 7. The Planning Director has the discretion to determine whether or not a theater impact study is necessary. Due to the above findings, a study was not required with this application.
 8. The Public Works and Utilities Department indicated that a public access easement must be shown from N. 30th Street (approximately) connecting to North Hill Road to facilitate reasonable and legal access to the median break and possible future traffic signal at Folkways Boulevard. This may require the redesign of the parking lot so that the flow of traffic from North Hill Road to the Folkways intersection is unobstructed by vehicle parking movements.
 9. The Public Works and Utilities Department requires a public access easement over Lots 1,4-6 King Ridge 1st Addition Final Plat, see the attached report.

CONDITIONS:

Site Specific:

1. This approval permits a six-screen theater.

General:

2. Before receiving building permits:

2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

2.1.1 A revised site plan showing the following revisions:

2.1.1.1 Revisions to the satisfaction of the Public Works and Utilities Department.

2.1.1.2 Utility easements to the satisfaction of L.E.S.

2.1.1.3 Street trees to the satisfaction of the Parks and Recreation Department.

2.1.1.4 Indicate a legal description for the special permit area on the site plan.

2.1.2 A coordinated development and occupancy schedule approved by the Director of Planning.

2.1.3 A landscape (screen) plan approved by the Director of Planning.

2.2 Ornamental street lights for private roadways and pedestrian way easements are approved by L.E.S.

2.3 The construction plans comply with the approved plans.

2.4 The required easements as shown on the site plan are recorded with the Register of Deeds.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:

3.1 Before occupying the theater all development and construction is to comply with the approved plans.

- 3.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established owners association approved by the City.
- 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 3.5 The City Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.

Prepared by

Becky Horner
Planner

DATE: December 1, 2003

APPLICANT:	Ridge Development Company	Superior Point Partners
OWNER	PO Box 22769	300 N. 44 th Street, Suite 100
	Lincoln, NE 68542	Lincoln, NE 68501
	(402)471-9222	

CONTACT: Mark Palmer
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508



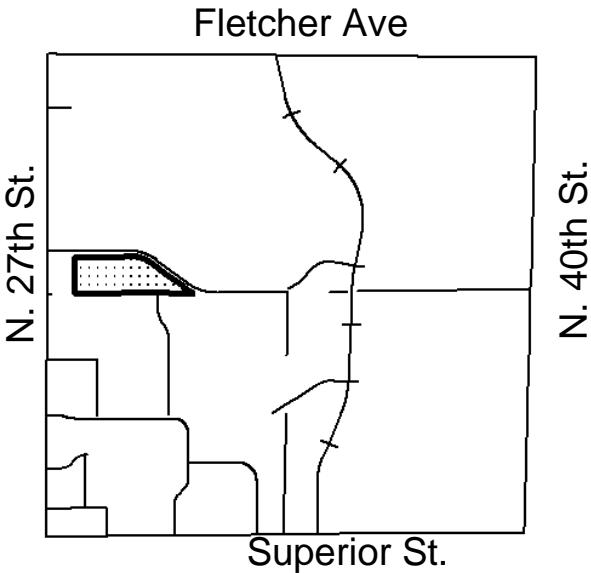
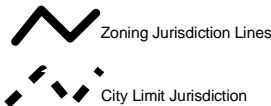
2002 aerial

Special Permit #2044 **N. 27th & Folkways Blvd.**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 6 T10N R7E



LINCOLN CROSSING

AMENDMENT TO USE PERMIT #07
2008-0001

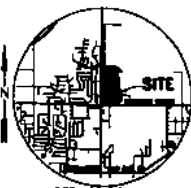
DESIGNED & PREPARED
BY: JESSIE AND
1111 LEXINGTON
LINCOLN, NE 68504
PHONE: 402-477-0111

OWNER & DEVELOPER

THE LINCOLN CROSSING DEVELOPMENT COMPANY
1111 LEXINGTON
LINCOLN, NE 68504
PHONE: 402-477-0111

EXISTING DATA FOR LEGAL DESCRIPTION

LINE	BEARING	DISTANCE
1	N 89° 44' 37" E	13.20'
2	S 89° 44' 37" E	13.20'
3	N 89° 44' 37" E	13.20'
4	S 89° 44' 37" E	13.20'



SITE LOCATION MAP
SEE MAP 10-10-07

NOTE:
REFER TO APPROVED LINCOLN CROSSING
PRELIMINARY PLAT AND USE PERMIT FOR
INFORMATION PERTAINING TO THE AREA BETWEEN
NORTH HILL ROAD AND SUPERIOR STREET.
INFORMATION PROVIDED BY ROSS ENGINEERING, INC.

AMENDED
AREA

EXISTING AND PROPOSED DATA

EXISTING DATA

LINE	BEARING	DISTANCE	AREA	PERIMETER
1	N 89° 44' 37" E	13.20'	0.00	13.20'
2	S 89° 44' 37" E	13.20'	0.00	13.20'
3	N 89° 44' 37" E	13.20'	0.00	13.20'
4	S 89° 44' 37" E	13.20'	0.00	13.20'

PROPOSED DATA

LINE	BEARING	DISTANCE	AREA	PERIMETER
1	N 89° 44' 37" E	13.20'	0.00	13.20'
2	S 89° 44' 37" E	13.20'	0.00	13.20'
3	N 89° 44' 37" E	13.20'	0.00	13.20'
4	S 89° 44' 37" E	13.20'	0.00	13.20'

LEGAL DESCRIPTION
AMENDMENT TO THE PRELIMINARY PLAT AND USE PERMIT #07
2008-0001
THE LINCOLN CROSSING DEVELOPMENT COMPANY
1111 LEXINGTON
LINCOLN, NE 68504
PHONE: 402-477-0111

REMARKS
1. THE PROPOSED PLAT IS SUBJECT TO THE REVIEW OF THE
CITY ENGINEER'S OFFICE AND THE CITY ENGINEER'S OFFICE
MAY REQUIRE CHANGES TO THE PLAT.

REMARKS
1. THE PROPOSED PLAT IS SUBJECT TO THE REVIEW OF THE
CITY ENGINEER'S OFFICE AND THE CITY ENGINEER'S OFFICE
MAY REQUIRE CHANGES TO THE PLAT.

REMARKS
1. THE PROPOSED PLAT IS SUBJECT TO THE REVIEW OF THE
CITY ENGINEER'S OFFICE AND THE CITY ENGINEER'S OFFICE
MAY REQUIRE CHANGES TO THE PLAT.

REMARKS
1. THE PROPOSED PLAT IS SUBJECT TO THE REVIEW OF THE
CITY ENGINEER'S OFFICE AND THE CITY ENGINEER'S OFFICE
MAY REQUIRE CHANGES TO THE PLAT.

DLESON ASSOCIATES

CITY OF LINCOLN
NEBRASKA

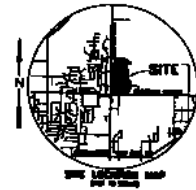
COVER SHEET

LINCOLN CROSSING
AMENDMENT TO USE PERMIT #07

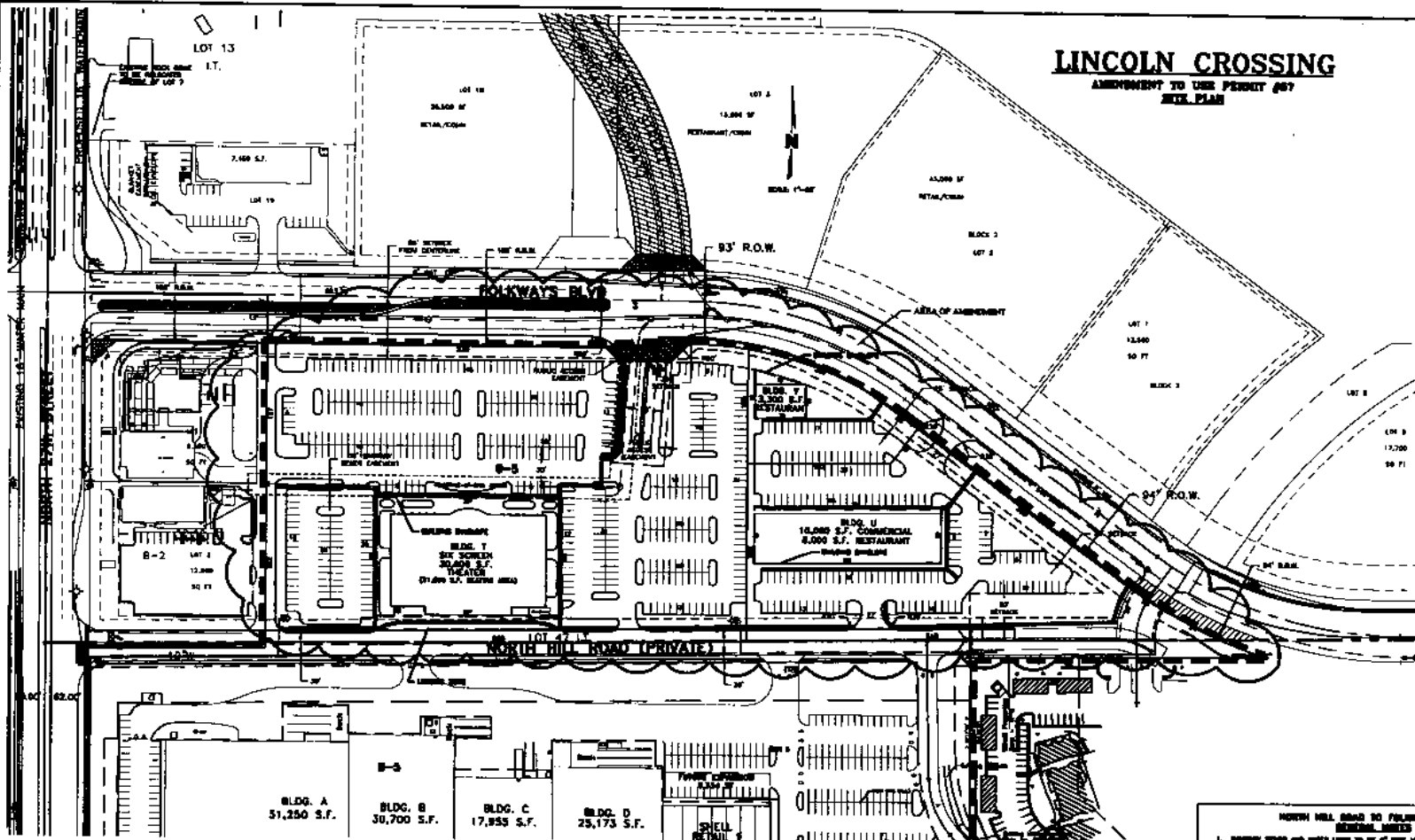
LINCOLN, NEBRASKA

SHEET
2 OF 9

LINCOLN CROSSING AMENDMENT TO USE PERMIT #87 SITE PLAN

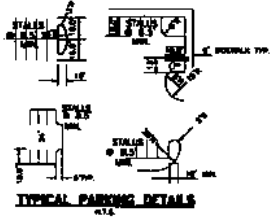


OLSON ASSOCIATES
INCORPORATED
1000 N. 10TH ST., SUITE 200
LINCOLN, NE 68502
TEL: 402-441-1111
FAX: 402-441-1112



NOTE:
REFER TO APPROVED LINCOLN CROSSING
PRELIMINARY PLAN AND PERMIT FOR
INFORMATION PERTAINING TO THIS AREA BETWEEN
HUNTER HILL ROAD AND SUPERIOR STREET.
INFORMATION PROVIDED BY OLSON ASSOCIATES, INC.

- LINCOLN CROSSING
REVISIONS**
1. THE PROPERTY LOCATED WITHIN THE AREA OF THE PERMIT IS 10.70 ACRES.
 2. THE PROPERTY IS 10.70 ACRES.
 3. THE PROPERTY IS 10.70 ACRES.
 4. THE PROPERTY IS 10.70 ACRES.
 5. THE PROPERTY IS 10.70 ACRES.
 6. THE PROPERTY IS 10.70 ACRES.
 7. THE PROPERTY IS 10.70 ACRES.
 8. THE PROPERTY IS 10.70 ACRES.
 9. THE PROPERTY IS 10.70 ACRES.
 10. THE PROPERTY IS 10.70 ACRES.
 11. THE PROPERTY IS 10.70 ACRES.
 12. THE PROPERTY IS 10.70 ACRES.
 13. THE PROPERTY IS 10.70 ACRES.
 14. THE PROPERTY IS 10.70 ACRES.
 15. THE PROPERTY IS 10.70 ACRES.
 16. THE PROPERTY IS 10.70 ACRES.
 17. THE PROPERTY IS 10.70 ACRES.



- NORTH HILL ROAD TO FURNACE BLVD.
SECTION THREE**
1. PROPERTY OWNER AND OWNER'S AGENT TO BE AT THE MEETING. PROPERTY OWNER'S AGENT SHALL BE RESPONSIBLE FOR PROVIDING THE NECESSARY INFORMATION TO THE CITY OF LINCOLN.
 2. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 3. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 4. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 5. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 6. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 7. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 8. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 9. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 10. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 11. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 12. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 13. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 14. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 15. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 16. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 17. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 18. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 19. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 20. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 21. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 22. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 23. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 24. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 25. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 26. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 27. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 28. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 29. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 30. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 31. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 32. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 33. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 34. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 35. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 36. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 37. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 38. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 39. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 40. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 41. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 42. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 43. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 44. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 45. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 46. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 47. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 48. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 49. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 50. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 51. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 52. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 53. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 54. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 55. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 56. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 57. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 58. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 59. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 60. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 61. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 62. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 63. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 64. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 65. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 66. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 67. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 68. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 69. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 70. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 71. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 72. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 73. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 74. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 75. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 76. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 77. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 78. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 79. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 80. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 81. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 82. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 83. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 84. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 85. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 86. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 87. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 88. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 89. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 90. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 91. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 92. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 93. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 94. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 95. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 96. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 97. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 98. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 99. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.
 100. THE MEETING SHALL BE HELD AT THE CITY OF LINCOLN.

SITE PLAN
LINCOLN CROSSING
AMENDMENT TO USE PERMIT #87
LINCOLN, NEBRASKA



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

30 October 2002

Mr. Marvin S. Krout, Director
Lincoln Lancaster Planning Department
County-City Building
555 South 10th Street, Suite 213
Lincoln, NE 68508

Re: Lincoln Crossing, 27th & Superior Streets
Amendment to Use Permit # 57 and Change Of Zone
OA Project No. 2003-0745

Dear Mr. Krout,

We are requesting an "Amendment to the Use Permit" to expand the Lincoln Crossing Use Permit to include the parcel of land between North Hill Road and Folkways Boulevard, east of Ruby Tuesdays and Pinnacle Bank. This property was formerly platted under the King Ridge 2nd Addition Use Permit. We are also requesting a change of zone from B-2 "Planned Neighborhood Business District" and R-3 "Residential District" to B-5 "Planned Regional Business District".

We are requesting this Amendment and Change of Zone to locate a six-screen, 30,000 square foot Theatre on this property. A 30,000 square foot theatre generates less PM Peak Hour traffic than the previously approved commercial uses.

As we have discussed in previous meetings with Planning Staff, we have not been able to attain the Autocad drawing files for the approved Lincoln Crossing Use Permit. We have attained the most recent site plan. However, we have not been able to get the site grading and drainage, landscape, and profile drawing files. Our submittal consists of an overall site plan for the Lincoln Crossing Use Permit, and additional sheets to detail the site, drainage and grading, and landscaping for the amended area.

We are requesting a waiver of the required 100' setback for parking lots from residential zoning. The eastern portion of the site abuts residential zoning to the south. The previous B-2 zoning allowed for a 50' setback for this area. The buildings will maintain the 100' setback; however, the parking and driveway would only maintain a 50' setback.

We are also requesting a waiver of the required front yard setbacks along Folkways Boulevard. Additional right of way was dedicated to the City for the expansion of Folkways Boulevard as part of the King Ridge 2nd Addition Use Permit and Preliminary Plat. A corresponding reduction in the front yard setback was granted as part of that use permit and plat. We are requesting that the reduced setbacks be maintained as approved previously.

Enclosed please find the following:

1. Cover Sheet, Sheet 2; 21 copies
2. Site Plan, Sheet 2A; 21 copies
3. Grading & Drainage Plan, Sheet 5A; 9 copies
4. Landscape Plan, Sheet 8A; 9 copies
5. City of Lincoln Zoning Application; "Use Permit; Amendment"
6. Change of Zone Application and exhibits
7. Filing fee for "Use Permit & Change of Zone"; \$1,480.00.
8. Certificates of Ownership for the lots being rezoned
9. 8 1/2" x 11" Reduced Drawings of the Site Plans

Please give me a call if you have any questions or concerns.

Sincerely,



Mark C. Palmer P.E.

cc John Brager
Tom White
DaNay Kalkowski
Michael Bott

SEACREST & KALKOWSKI, P.C.

1111 LINCOLN MALL, SUITE 350
LINCOLN, NEBRASKA 68508-3905

TELEPHONE (402) 435-6000
FACSIMILE (402) 435-6100

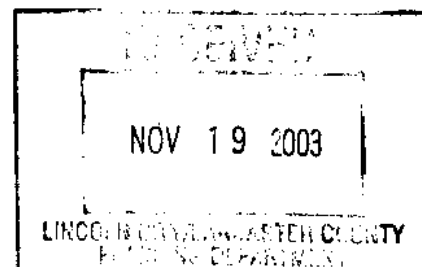
KENT SEACREST
E-MAIL: kent@sk-law.com

DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

November 18, 2003

To: Neighboring Property Owners

Re: North 27th Street & Folkways Boulevard



Dear Neighbors:

Our law firm represents Ridge Development Company, the owner of Lots 3-10 and Outlot A, King Ridge Addition, Lincoln, Lancaster County, Nebraska (the "Property"). The Property is located east of North 27th Street (just east of Ruby Tuesday's and Pinnacle Bank) and directly south of Folkways Boulevard. Ridge Development Company has submitted the following applications to the Planning Department to permit the construction of a six screen, 30,000 square feet theatre on the Property: (i) a change of zone from the current B-2 Planned Neighborhood Business District and R-3 Residential District to B-5 Planned Regional Business District; (ii) an Amendment to expand the Lincoln Crossing Use Permit to include the Property; (iii) a Special Permit to permit the theatre use on the Property; and (iv) an Administrative Amendment to the King Ridge 2nd Addition Use Permit to remove the Property.

We would like to invite you to attend an informational meeting regarding the above applications. A copy of the proposed site plan for the Property is enclosed herein for your review. Please mark your calendars for **Tuesday, November 25, 7:00 - 8:30 P.M. at Campbell Elementary School in the Multi-Purpose Room, 2200 Dodge**. We welcome your comments and questions, and look forward to seeing you at the meeting. In the meantime, if you have any questions, please do not hesitate to call our office.

Sincerely,

KENT SEACREST
For the Firm

Enclosure

cc: Ridge Development Company
Don Linscott, Superior Pointe Partners
Annette McRoy, City Council Member
Patte Newman, City Council Member
Becky Horner, Planning Department

Memorandum

To:	Becky Horner, Planning Department
From:	Chad Blahak, Public Works and Utilities
Subject:	Lincoln Crossings Use Permit #57D and CZ #3430 King Ridge 2nd AA #03089 to Use Permit 103B
Date:	11/10/03
cc:	Randy Hoskins

Engineering Services has reviewed the submitted Use Permit #57 and CZ #3430 for Sincoln Crossings and AA #03089 to King Ridge 2nd Use Permit 103B, located between Folkways Boulevard and North Hill Road east of North 27th Street, and has the following comments:

Lincoln Crossings:

- If the public access easement running between lots 1, 4, 5, & 6 in King Ridge 1st Final Plat is to be removed then revisions need to be made to the site plan regarding parking lot configuration and public access easements. A public access easement will need to be shown between Lots 1 & 2 King Ridge 2nd Addition and the proposed Lincoln Crossings Use Permit and a continuation of the public access easement located at approximately N. 30th Street needs to be shown connecting to North Hill Road to facilitate reasonable and legal access to the median break and possible future traffic signal at Folkways Blvd. This requires a redesign of the parking lot such that the flow of traffic from North Hill Road to the Folkways intersection is unobstructed by vehicle parking movements.
- Public Works has no comment on the change of zone.

King Ridge:

- See above note for necessary revisions to this plat.

Memo



To: Becky Horner, Planning Department

From: Mark Canney, Parks & Recreation

Date: November 18, 2003

Re: Lincoln Crossing UP 57D CZ3430

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. Trees located along Folkways Blvd. are planted on private property per the location of the property lines on the plan.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



Dennis L Roth

11/03/2003 08:01 PM

To: Rebecca D Horner/Notes@Notes

cc:

Subject: re: Lincoln Crossings

PROJ NAME: Lincoln Crossings
PROJ NMBR: CZ# 3430, UP# 57D
PROJ DATE: 10/14/03
PLANNER: Becky Horner

Finding NO duplicate/similar names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

STREETS:

PRIVATE: Chandler Dr, Industrial Av, Kensington Dr, North Hill Rd, North View Dr, Ticonderoga Dr and N 31st St

COMMENTS: Appears to be no deviations in the number or names of streets from previously approved plat.



MICHAEL WOOLMAN
<lpd737@CJIS.CI.LIN
COLN.NE.US>

To: R Horner <RHorner@ci.lincoln.ne.us>
cc:
Subject:

11/10/2003 09:54 AM

Ms. Horner,

The Lincoln Police Department does not object to the Lincoln Crossings UP #57D.

Sergeant Michael Woolman
Lincoln Police Department

Richard J Furasek

To: Rebecca D Horner/Notes@Notes

11/12/2003 10:57 AM

cc:
Subject: Lincoln Crossings

After reviewing Use Permit #57D and CZ#3430, we find it acceptable from the perspective of the department.

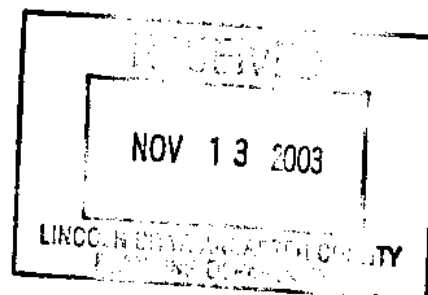
Richard J. Furasek
Assistant Chief Operations
Lincoln Fire & Rescue
1801 Q Street
Lincoln Ne. 68508
Office 402-441-8354
Fax 402-441-8292

message to Becky Horner

INTER-DEPARTMENT COMMUNICATION

-LES

DATE: November 13, 2003
TO: Becky Horner , City Planning
FROM: Sharon Theobald
Ext 7640
SUBJECT: DEDICATED EASEMENTS - Use Permit #57
DN#48N-29E



Attached is the Site Plan for Lincoln Crossing.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over the entire development.

Sharon Theobald

ST/ss
Attachment
c: Terry Wiebke
Easement File